26-69-1/989

Department of
Veterans Affairs

Questions and Answers on Specially Adapted Housing and Special Housing Adaptations for Veterans

VA Pamphlet
26-69-1
Revised
May 1989

Veterans Benefits
Administration

VA 1.19:

READEX FICHE best copy available

Foreword

Part I of this pamphlet is designed to answer the usual and customary questions frequently asked by veterans and their families regarding Specially Adapted Housing for Disabled Veterans under 38 U.S.C., ch. 21, sec. 801(a).

The purpose of the law is to furnish disabled veterans of military service, who may be entitled to a grant of assistance from VA, a "wheelchair" home especially adapted for their needs.

Part II of this pamphlet is designed to answer questions which may be asked by veterans and their families regarding Special Housing Adaptations for Disabled Veterans under 38 U.S.C., ch. 21, sec. 801(b).

The purpose of the law is to furnish disabled veterans of military service, who may be entitled to a grant of assistance from VA, special housing adaptations for their needs due to blindness or the loss or loss of use of both hands.

This pamphlet is not a legal document and should not be considered as such. Nothing in this pamphlet should be construed as changing the law or VA regulations pertaining to specially adapted housing or to special housing adaptations.

Only the highlights of the two programs are covered by this pamphlet. It does not go into detail regarding unusual or complex problems which conceivably can arise. It is suggested that the pamphlet be read carefully and in its entirety. Should you be determined eligible for either benefit, you should contact the Loan Guaranty Officer at the nearest VA office for further for information and advice.

PART I—SPECIALLY ADAPTED HOUSING

Eligibility & Statutory Requirements

1. What is the governing law relating to specially adapted housing for disabled veterans?

Title 38, United States Code, chapter 21, section 801(a). (The original statute was Public Law 702, 80th Congress, dated June 19, 1948.)

2. Which veterans are basically eligible for the grant?

Veterans who have a service-connected disability due to military service after April 20, 1898, entitling them to compensation for permanent and total disability due to:

a. The loss or loss of use of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, or

b. Disability which includes blindness in both eyes, having only light perception, plus loss or loss of use of one lower extremity, or

c. The loss or loss of use of one lower extremity together with (1) residuals of organic disease or injury, or (2) the loss or loss of use of one upper extremity, which so affect the functions of balance or propulsion as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

3. Are there any other statutory requirements for eligibility?

Yes there are three:

a. It must be medically feasible for the veteran to reside in the housing unit.

b. The housing unit must be so adapted as to be suitable to the veteran's needs for dwelling purposes.

c. It must be financially feasible for the veteran to acquire it, with the assistance provided by the grant.

4. Is there any time limitation or deadline for applying for the specially adapted housing benefit?

No.

Specially Adapted Housing Benefit

5. What is the nature of the benefit?

An eligible veteran may receive a VA grant of not more than 50 percent of the cost of a specially adapted housing unit up to a maximum of $38,000.

6. How may the grant be used?

An eligible veteran has the option to use the grant under any one of the following plans:

Plan (1). The veteran may elect to construct a home on land to be acquired for that purpose.

Plan (2). The veteran may build a home on land already owned if it is suitable for specially adapted housing.

Plan (3). The veteran may remodel his/her existing home if it can be made suitable for specially adapted housing.

Plan (4). When the veteran has already acquired a specially adapted home (without the assistance of a VA grant), the grant may be applied against any unpaid balance of the cost of the home.

7. Can the veteran buy or build a home in a place of his/her choosing?

Yes, as long as it is medically feasible for the veteran to reside there.

8. Under Plan (4) above, question No. 6, if a veteran already has a specially adapted home which is owned free and clear, how much of the grant, if any, would he/she be entitled to receive?

None; however, should the veteran decide to buy or build another specially adapted home, this benefit could be used.

9. If the maximum grant of $38,000 is not used for a specially adapted housing unit, may a second grant be obtained for another home or for further capital improvements on the veteran's present home?

No. The grant, up to a maximum of $38,000, can be used only once. For example, if the total cost for the construction and land were $50,000, the maximum grant

would be 50 percent of the $50,000 or $25,000. The veteran would not be able to claim a further grant of $13,000 at a later date for use either on the same home or another home.

10. Can a veteran use the specially adapted housing benefit to acquire more than one housing unit?

No. The governing law specifically provides that this benefit "shall be limited in the case of any veteran to one housing unit, and necessary land therefor."

11. Is a veteran who obtains a specially adapted home entitled to exemption from State real estate taxes?

This depends upon the particular State. There are many States that do provide such relief from taxes either in whole or in part. A VA representative will be able to provide a veteran with more detailed information.

12. What are some of the requirements for specially adapted housing?

a. At least two ramps suitable for entry and exit, one of which shall be located so as not to expose the veteran to a potential fire hazard, such as placement necessitating passage through a kitchen or garage or utility room containing heating equipment. Ramps must be constructed of fire retardant material, shall be permanently installed, shall be treated to prevent slipping when wet, and the slope shall not exceed 8 percent. The minimum width acceptable is 1.07 meters (3 feet 6 inches), and railings must be provided if the height and length of the ramp indicate any question of a hazard. Ramp platforms must be generous in area to allow for turning the wheelchair and equipped with protective railings if the height of the platform presents a potential hazard. There shall be no difference in elevation between the interior floor level and exterior platforms.

b. All doorways shall be at least 915 millimeters (36 inches) wide.

c. Halls shall be a minimum of 1.22 meters (48 inches) wide.

d. A garage or carport should be of sufficient width to allow unrestricted wheelchair maneuverability alongside a car.

e. Passageways between the home proper and the

garage or carport should be sheltered to prevent exposure of the veteran to inclement weather.

f. At least one bathroom convenient to the veteran's bedroom should contain very generous floor areas providing free wheelchair maneuverability, with placement of all fixtures in a manner permitting the veteran unimpeded access to each fixture. Bathroom flooring material should be nonslip under both wet and dry conditions. Washbasins of the hung type, rather than pedestal, shall be affixed at a height enabling the wheelchair to ride below the fixture to allow close approach for washing and shaving convenience. Washbasin drainpipes should be installed with the view to minimizing the possibility of abrasions. A mirror at suitable level or use from the wheelchair must be provided and may be achieved by a lowered medicine cabinet to which the veteran is to have access. Faucets for the tub and shower also must be accessible from the wheelchair for water temperature control before, as well as during, immersion. Adequate thermostatic controls should be installed to avoid sudden change in the water temperature. Adequate grab bars, capable of bearing weight and conveniently placed, must be installed for the tub and shower. Stall showers must be large enough to allow for a built-in bench, if desired. There should be no curb between the stall and bathroom (floor drain can be placed in a back corner of the stall), and the shower stall opening shall be the same width as other doorways. The toilet fixture or seat should be raised, if necessary, for the veteran's convenience; armrests, installed in a manner to support the veteran's weight in transferring, must be included, and provision should be made for a suitable back support.

g. All hot water pipes, steampipes, room radiators, or similar items which may constitute a hazard insofar as burns, abrasions, etc., are concerned, should be concealed or properly covered.

h. Wall switches and electrical outlets should be within reach from the wheelchair—minimum 457 millimeters (18 inches) and maximum 1.22 meters (48 inches) from the floor. Fuse boxes, thermostats, and other utility and appliance controls should be within reach from the wheelchair. Windows should be operable from the wheelchair. Automatically operated garage doors are a great convenience—direct control activated by key or button being indicated as more satisfactory than remote control by radio or light beam.

i. Carpeting may not be installed in specially adapted housing unless it is of a low pile, closely knit type.

j. At least one automatic smoke detector shall be installed in the unit.

13. What are some other factors to be considered?

a. Level building site.

b. Ample concrete walks.

c. Relatively maintenance free.

d. Sliding interior doors easily operable from wheelchair.

e. Zone controlled heating system.

f. Special adaptation of the kitchen for the veteran's use.

How To Apply For Benefits

14. Whom does a veteran contact to find out if he/she is eligible for the specially adapted housing benefit?

Any VA office, preferably the VA office where the veteran's claim records are located. A determination will be made as to the veteran's basic eligibility and whether it is medically feasible for the veteran to reside in a specially adapted home.

15. How is the veteran advised that he/she is eligible for the specially adapted housing benefit?

A notice of eligibility for specially adapted housing will be sent to the veteran from the VA office in the field. A representative of the VA field office will visit the veteran and counsel him/her in every way possible. He/she will be furnished a supplemental application form to be filled out when he/she is ready to obtain the grant. If the veteran's request for the grant is approved, he/she will receive a commitment letter from VA setting forth the terms and conditions under which the funds will be made available. Any contract executed by the veteran should include the condition that it is subject to VA approval and his/her obtaining the grant.

16. Will VA assist an eligible veteran to pick out a lot, obtain the services of an architect, obtain bids for construction, let the contract, and arrange necessary financing?

Yes. Representatives from the VA office who are specialists in this field will counsel, and make suggestions

and recommendations to the veteran at every stage to help him/her obtain a specially adapted house provided that eligibility has been established.

17. Is design assistance for specially adapted housing available from the Department of Veterans Affairs?

VA Pamphlet 26-13, Handbook for Design - Specially Adapted Housing, provides assistance to the physically handicapped veteran and the architect/designer in producing the best possible home for the veteran.

Financing the Home

18. Can a veteran apply for a GI home loan from a private lender to cover the difference between the total cost of the housing unit and the grant?

Yes, if he/she is a veteran of World War II or later periods who has GI housing entitlement and can qualify for a GI home loan.

19. If private financing is not available, can VA make the veteran a direct loan to cover the difference between the total cost of the housing unit and the grant?

Yes, provided the veteran has GI home loan entitlement and qualifies from a credit standpoint. The maximum direct loan is $33,000.

20. Is life insurance available which would pay off the mortgage on a specially adapted house in case the veteran dies before repaying the loan?

Yes. Most veterans who receive a specially adapted housing grant are eligible for life insurance up to their 70th birthday covering the unpaid principal, not to exceed $40,000, on the mortgage loan for a unit. VA representatives will explain this program and assist eligible veterans in applying for this protection.

Other Similar Benefits

21. Are there other benefits similar to specially adapted housing to which a disabled veteran may be entitled?

Yes, an eligible veteran may be entitled to the HISA (Home Improvement and Structural Alterations) benefit which has a maximum limitation of $2,500 for a service-

connected disability and $600 for a non-service-connected disability. The Medical Administration Service at the nearest VA health care facility will furnish additional information concerning this benefit upon request.

22. If a veteran is eligible for a grant of up to $38,000 for a wheelchair home, may he/she also receive a special housing adaptations grant of up to $6,500?

No. If a veteran qualifies for both benefits, the law limits him/her to a grant of up to $38,000 for a wheelchair home only.

PART II—SPECIAL HOUSING ADAPTATION

Eligibility & Statutory Requirements

1. What is the governing law relating to special housing adaptations for disabled veterans?

Title 38, United States Code, chapter 21, section 801(b). (The original statute was Public Law 96-385, dated October 7, 1980.)

2 Which veterans are basically eligible for the grant?

Veterans who have a service-connected disability due to military service after April 20, 1898, entitling them to compensation for permanent and total disability due to:

a. Blindness in both eyes with 5/200 visual acuity or less, or

b. The anatomical loss or loss of use of both hands.

3. Is there any time limitation or deadline for applying for the special housing adaptations benefit?

No.

Special Housing Adaptations Benefit

4. What is the nature of the benefit?

An eligible veteran may receive a VA grant of

a. The actual cost of the adaptations, or

b. $6,500,

whichever is less.

5. How may the grant be used?

An eligible veteran has the option to use the grant under any one of the following plans:

Plan (1). The veteran may adapt a house which he/she plans to purchase.

Plan (2). The veteran may adapt a house which a member of the veteran's family plans to purchase.

Plan (3). The veteran may adapt a house which he/she already owns.

Plan (4). The veteran may adapt a house which is already owned by a member of the veteran's family.

Plan (5). Effective October 27, 1986, eligible veterans under 38 U.S.C. 801(b) may elect to use the grant to assist in the acquisition of a residence that has already been adapted with special features determined by the Secretary to be reasonably necessary for the veteran because of such disability.

Whichever plan is selected, the veteran must either reside in the house or intend to reside in the house.

6. What is meant by "a member of the veteran's family"?

A member of the veteran's family is defined as a person related by blood, marriage or adoption.

7. If the maximum grant of $6,500 is not used for special housing adaptations, may a second grant be obtained?

No. The grant, up to a maximum of $6,500, can be used only once.

8. Is a veteran who obtains a house with special adaptations entitled to exemption from State real estate taxes?

This depends upon the particular State. There are many States that do provide such relief from taxes either in whole or in part. A VA representative will be able to provide a veteran with more detailed information.

9. What adaptations are considered necessary for a veteran who is blind in both eyes with 5/200 visual acuity or less?

There are no minimum requirements, but the following adaptations are considered appropriate:

a. Special lighting; e.g., fluorescent, high intensity, open, indirect.

b. Sliding doors. This would include sliding kitchen and bathroom cabinet doors, as well as pedestrian sliding and pocket doors. If it is not possible to adapt existing cabinets with sliding doors, new cabinets with sliding doors are acceptable.

c. Handrails. Grab bars are acceptable in the bathroom, but a glass tub enclosure is not.

d. Smoke detectors/fire detection systems.

e. Security system. This may include the replacement of hollow core exterior (but not interior) doors with solid core doors, deadbolt locks, storm shutters, etc. This may also include an emergency exit; e.g., a level 5′ X 5′ platform with stairway and railings.

f. Intercom system (without a radio unit).

g. Room addition to an existing house to store sensory aids provided by Prosthetic and Sensory Aids Service and to store exercise equipment. This may also include the heating and/or cooling of this room, if the heating and/or cooling unit is permanently attached. Built-in storage areas such as shelves are also acceptable.

h. Covered porch, in areas of severe inclement weather (maximum size: 6′ X 8′). An awning over the front and/or rear door(s) is acceptable in more moderate climates. A patio or an enclosed patio is unacceptable.

i. Swimming pool (but not spas, hot tubs, saunas, etc.).

j. Concrete or asphalt walkways (but not driveways), if the new walkway involves a new design; e.g., wider or with curbs. However, the replacement of an existing walkway with the same design, only new material, is a maintenance item and is unacceptable.

k. Fencing, to overcome a safety hazard; e.g., the property ending at a steep drop or abutting a busy street.

l. Additional outlets and electrical service capacity to accommodate sensory aids equipment.

m. Correction of safety defects; e.g., replacing space heaters with an electric heat pump or replacing a gas range and oven with an electric range and oven.

n. Other adaptations with the approval of VA.

10. What adaptations are considered necessary for a veteran who has lost or lost the use of both hands?

There are no minimum requirements; but the following adaptations are considered appropriate:

a. Lever-type fixtures in the kitchen and bathrooms.

b. Quad-rubber doorknob covers or lever-type latches / locks for doors.

c. The lowering of cabinets, countertops and sinks.

d. Light switches: toggle or press system.

e. Tap plates to open and close interior doors; keyless entry-lock systems for exterior doors.

f. Automatic garage door openers.

g. Circuit breakers.

h. Smoke detectors / fire detection systems.

i. Special plumbing fixtures; e.g., bidet.

j. Replacement of single or double hung windows with crank-type windows.

k. Correction of safety defects.

l. Other adaptations with the approval of VA.

How To Apply For Benefits

11. Whom does a veteran contact to find out if he/she is eligible for a special housing adaptations benefit?

Any VA office, preferably the VA office where the veteran's claim records are located.

12. How is the veteran advised that he/she is eligible for special housing adaptations?

A notice of eligibility will be sent to the veteran from the VA office in the field. A representative of the VA field office will visit the veteran and counsel him/her in every way possible. He/she will be furnished a supplemental application form to be filled out when he/she is ready to obtain the grant. If the veteran's request for the grant is approved, he/she will receive a commitment letter from VA setting forth the terms and conditions under which the funds will be made available. Any contract executed by the veteran should include the condition that is subject to VA approval and his/her obtaining the grant.

13. Is life insurance available which would pay off the mortgage on a house with special adaptations in case the veteran dies before repaying the loan?

Yes. Most veterans who receive a grant for special housing adaptations are eligible for life insurance up to their 70th birthday covering the unpaid principal, not to exeed $40,000, on the mortgage loan for a unit. VA representatives will explain this program and assist eligible veterans in applying for this protection.

Other Similar Benefits

14. Are there other benefits similar to housing adaptations to which a disabled veteran may be entitled?

Yes, an eligible veteran may be entitled to the HISA benefit which has a maximum limitation of $2,500. The Medical Administration Service at the nearest VA health care facility will furnish additional information concerning this benefit upon request.

15. If a veteran has already received a grant for a wheelchair home, may he/she also receive a grant for special housing adaptations?

No. Once a veteran has received a grant for a wheelchair home, he/she is no longer eligible for the special housing adaptations benefit.

16. If a veteran receives a grant for special housing adaptations and the veteran's physical condition changes to later qualify him/her for a wheelchair home, may the veteran then become eligible for a grant for a wheelchair home?

Yes. If a veteran receives a grant for special housing adaptations and the veteran's physical condition changes to later qualify him/her for a wheelchair home, the veteran would be entitled to the full grant for a wheelchair home, as provided by law.

Rescission: **VA Pamphlet 26-69-1, Revised December 1986**

Distribution: Per VA Form 3-7225 and 3-7225a
FD includes 5 for each medical center activity;
VBC, 1 each;
EX: VSO and AR, 1 each)

☆ U. S. GOVERNMENT PRINTING OFFICE: 1989 241-643/07558

VA Pamphlet 26-69-1
Revised May 1989

Department of Veterans Affairs
Washington DC 20420

Official Business
Penalty for private use
$300.